# DIER SURRENDERS; **GIVES \$35,000 BAIL**

Says He Has Been Ill at Park Avenue Home Since Indictment.

QUAILS IN COURT ROOM

Then Becomes Genial and Says He Never Took a 'Dishonest Dollar.'

New Attorneys Say Client Has Been 'Crucified and Persecuted' by Press.

ailed last January owing more than indicted on sixteen counts charging grand larceny in the first and second legrees and pleaded not guilty before

Since the finding of the indictment against Dier and his associates detectives had been unable to find him. Yesterday he announced that he had hever been outside of the city, but had been staying in his apartment at 565 Park avenue and was not attempting to evade the officers. He has been "very ill with a 'middle ear,' "he said. Dr. J. M. McTiernan stated that he has been in constant attendance on Dier since a few days before the indictment was found. Lieut. Detective Edward Rayens said that he and his men have have a said that he said men have have a said that he said men have have a said that he has been in constant attendance on Dier since a few days before the indictment was found. Lieut. Detective Edward Rayens said that he said men have have a said that he sa

Ing to evade the officers.

He has been "very ill with a 'middle ear,' " he said. Dr. J. M. McTlernan stated that he has been in constant attendance on Dier since a few days before the indictment was found. Lieut. Detective Edward Rayens said that he and his men have had the Park avenue house under surveillance for a week and that Dier has not been at that address during that time.

distribution of wealth, but not through the Democratic party.

"When we name a Democratic candidate we want to win. We do not want transfer transfer to the control of the cont

tinal. Dier has obtained the services of another lawyer, and it was intimated yesterday that Rockwood's failure to Errange any stipulation regarding the Dier books to prevent them from going into the District Attorney's hands was regarded as laxity on his part and not entirely in the interest of his client. Mr. Rockwood is at present in Maine, where he is defending some of the Jefendants in the Morse case.

Dier issued a statement through his lawyers after he had been arraigned and admitted to bail. In this statement it is charged that he has been "crucified and persecuted by the public and press on ex-parte statements made by men whom he made and men that he stood by in their time of need." Who these

and persecuted by the public and press on ex-parte statements made by men whom he made and men that he stood by in their time of need." Who these men are is mere conjecture, but under direct questioning by a representative of The New York Herald Dier admitted that one of the men in question is marned in the indictment and another is not. He said that inside managers wrecked his business and made him the "goat."

"Are the wreckers of E. D. Dier & Co. mentioned in the indictment?" he can asked.

"The New York Herald Dier admitted that one of the men in question is marned in the indictment and another is not. He said that inside managers wrecked his business and made him the "goat."

"Are the wreckers of E. D. Dier & Co. mentioned in the indictment?" he sentiment was so strong for Smith that it was "sweeping everything before it." These were the counties not presented.

to, mentioned in the indictment?" he was asked.
"One of them is and others are not. I guess you understand just what I mean."

# 12 Bottles Canadian Rye for \$18—Husks Still On

AYOR VICTOR MRAVLAG of Elizabeth, N. J., and other prominent citizens there received letters two weeks there received letters two weeks ago from a man in Toronto, offering Morgan's pure Canadian rye for \$18 a dozen quart bottles. The Mayor turned his letter over to Samuel Cone, Prohibition Enforcement Agent at Newark, and Cone sent \$18 of the Government's money for the rye, which it was promised would be delivered through "our American agency." Many other citizens also sent \$18 for a dozen bottles of Canadian rye.

pottles of Canadian rye. age. He found in the case twelve bottles wrapped in tinfoil and filled with rye—but not rye whisky. It was just rye, the grain, good for making flour if the husks are re-

## ROCKWOOD OUT OF CASE SMITH IS INDORSED; HEARST TO FIGHT ON

Continued from First Page

for the open session held at 2 o'clock this afternoon in the Onondaga Hotel age firm of E. D. Dier & Co., which and which lasted until nearly 6. The of murder in the first degree last night trouble behind the locked doors was not by the jury before Judge Alfred J. less than half a dozen Democrats in- Talley in the Court of General Sessisted they were going to "tear loose" sions which had heard his trial for agers, surrendered yesterday at the and speak their minds about Mr. Hearst. office of District Attorney Banton and It was with the greatest difficulty that of Giuseppi Varotta, 5 years old, last with which he is to be reimbursed is dethey were restrained. The job was left year. After the verdict had been and released in \$35,000 bail. He was to Mr. Osborn, and he was besought to handed up Judge Talley remanded

too much just what you are all thinking to be convicted of murder in the first

Tanned by Park Avenue Sun.

The head of the bankrupt brokerage firm did not look like an invalid. Tanned by the Park avenue sun, evidently, he had the appearance of a receiv vacationeer. He was in a general control of the last of the

# THIRD MAN IS GUILTY

Santo Cusamano Will Get Death Sentence in Judge Talley's Court July 12.

JURY AGREES QUICKLY

Kidnaped Boy's Mother and Conspirator From Sing Sing Clinch Verdict.

COCAINE GIVEN TO CHILD

Italians Ask Public Not to Blame Them for Crimes of Sicilian Gangs.

complicity in the kidnaping and death Cusamano to the Tombs for sentence "I am going to express without saying next Wednesday. He is the third man Claims, which has been conducting

if they believed the stories of Roberto Raffaele, now in the death house at Sing Sing, that Cusamano had particlsing sing, that Cusamano had participated in the kidnaping conferences, and that if they believed the story of Mrs. Salvatore Varotta, the dead boy's mother, they could return a verdict of guilty. But if they disbelieved these stories, Judge Talley said, they must acquit the defendant.

of criminality among them. The edu-cated among the Sicilians as well as the unrelated Italians feel that Americans should understand that there is a difference, so as not to indiscriminately blame non-offending Italians for the crimes of the Sicilians. Perhaps our newspapers can help enlighten the public."

# FISH IN CONGRESS RACE COAL CONFERENCE

Orange Prosecutor Will Fight Representative's Return.

Committee in an others are not pressure to committee on the pression of the pressure of the same are not press.

The rest of the statement leased the pressure of the same are not pressure of the same and the pressure of the same are not pressure of the same and the pressure of the same are not pressure of

## 'Home Brewers, Spare Our Sewers,' N. Tarrytown Plea

Some indefatigable home hooch ers and brawars Tarrytown with prune pits, corn and oats, and yesterday Charles Kenney, sewer inspector of the village, appealed to the populace through the Tarrytown Daily News

through the Tarrytown Data News to please stop it.

In one place along Cortland street Kenney had to rip up the street to free a pipe clogged with prune pits. He said that the stills and breweries which were flooding the sewers are near this point, but he could not find them, so he appealed to their owners through the pealed to their owners through the press.

## **BACON AND RED TAPE** COST MAN \$300,000

Loss Falls Upon New Yorker Merely for Dealing With U. S.

New York Herald Bureau. ) Washington. D. C., July 7.

hearings on Mr. Leavitt's bacon

The deal is regarded by Governmen officials and Senate leaders as an cut-standing instance of the interminable delay Government red tape brings about and of the injustice in which it some-

and of the injustice in which times results.

President Harding, former Budget Director Dawes and other Government officials have recommended that Leavitt's claim be allowed. According to the record in the case, Leavitt, in June, 1919, purchased approximately 2,493,326 pounds of bacon from the Surplus Property Division of the War Department.

### Bacon Libeled; Sale Halted.

For this he paid the Government and

20,386.51 worth.

In 1921 the bacon still rested in a warehouse in New York. Mr. Leavitt then took up the matter of rescinding the contract with the Secretary of War. On December 23, 1921, the Attorney Gen

Cusamano convicted. He took my boy to his home about 3 o'clock the day he was kidnaped, May 24, 1921, doped him with cocaine and then took him away at night in a barrel."

Judge Talley received a letter from a number of Italians in this city disclaiming relationship with Sicilians, whom the letter blames for crimes. The Judge, without giving out the names of the signers, gave copies of the letter to the press. It follows:

"The present Varotta case, which is entirely the work of Sicilians, causes many Italians throughout the city to very much regret that the public does many Italians. The average American identifies the two races, using the name Italian to include both the uneducated Sicilians, whose crimes are so numerous, and the more highly endowed Italians who have contributed so much to the forward march of civilization.

In the meantime the demand for ba-on had lessened, and what was left in the storehouse had deteriorated, some of it becoming absolutely rancid.

Leavitt sold his bacon at the best price obtainable, which was 3½ cents a pound. This netted Leavitt \$52,554.81 on his transaction, which, added to what he had already sold, made his net sales amount to \$73,941.35. This still left a balance against Leavitt on the wrong side of his ledger of \$620,623.33, which the Senate Committee on Claims recommends shall be paid.

In recommending the payment of this claim, Gen. Dawes said: "Mr. Leavitt

has been to a large expense. He was indicted five times, the bacon was libelled and his money has been tied up for nearly three years, so when this matter is finally settled Mr. Leavitt will. without any wrongdoing or fault on his part, still be the loser to the extent of \$250,000 or \$300,000."

# **FAILS OF RESULTS**

Anthracite Groups Adjourn

Reports from Dutchess county indicate that Representative Hamilton Fish, Jr., is to face a hard battle for the Republican nomination in the Twenty-sixth Congress District, in view of the announcement yesterday that Jonathan D. Wilson, Jr., District Attorney of Orange county, is to be his opponent.

Mr. Wilson has been placed in the field by a group of prominent politicians who are predicting that he will carry Orange and Dutchess counties by large majorities on election day in the event of his nomination.

Representative Fish has been one of the Government, said, however, that a

# **\$70,000 SWINDLER** LAUGHS AT VICTIMS

Isidore Nathan Defiant a Worldwide Radio Pursuit Ends in Cell.

OCEAN TRIP ONLY RUSE

Gem Salesman and Stock Operator Found Plying Trade in Albany.

LIVED A DOUBLE CAREER

Squalid Tenement Home in Manhattan and Luxurious Place at Rockaway.

here a short time ago charged with from the Government three years ago, grand larceny in connection with alon credit previous to having disaplast night, following his capture in Albany on Thursday when he attempted to dispose of some of the be arraigned to-day indictment.

The capture of Nathan followed a and after the police had communicated with virtually every ship bound for European and South American ports. They had been told by Nathan's wife that he had left this country and might be on his way to Europe. Detectives aboard the big liners at sea were instructed to search for the fugitive and had reported their vain hunt when the was there.

attempted to negotiate the sale of some

Nathan offered as references the firm of Hirsch, Lilienthal & Co., brokers, 165 Broadway, New York. As a result of the telephone talk with New York Na-

than was detained until Detective John Cuniff could escort him here. The fugitive carried a black traveling bag in which were \$10,000 worth of jewelry and a \$1,500 bond.

When taken to Police Headquarters here Nathan maintained an arrogant attitude and said: "These people can't get a thing on me. I took their money and was to invest it and lost it all."

When asked how he had lost the money, more than \$60,000 in all, Nathan said he had been "film-flammed in Wall Street and will tell a great story to-morrow." He laughed as he was being led away to his cell.

The specific charge against Nathan was

was being led away to his cell.

The specific charge against Nathan was made by Philip Leviton of Tuller & Leviton, a jewelry firm of 55 Chrystie street, from whom Nathan is alleged to have received \$2,950 worth of Jewelry on June 20, including a diamond bracelet, on credit and having falled to make any payment for the jewelry. Numerous other charges and an indictment charging grand larceny face the prisoner. He is said to have fleeced laborers of the Long Island Railroad out of more than \$10,000 of their savings.

## In Poverty and Affinence

According to the authorities Nathan lived in a \$15 a month tenement at 132 his fight to regain the Mayor George L. Oles to-day his fight to regain the Mayor George L. West Sixty-second street and at the same time maintained a luxuriously appointed summer residence at Rockaway Park and spent large sums in entertaining in a lavish manner. He was indicted a short time ago charged with having berpetrated numerous swindles in taking money from poor laborers and former workers with him in the Navy Yard on the pretext that he had "inside tips" on the stock market and would make them rich. He told a number of his fellow workers when he was a laborer in the New York Navy Yard that he had a \$4,000 trading account with Hirsch, Lillenthal & Co.

Any connection he might have had with the brokerage house he gave up immediately after receiving enough money to be "invested," the police say, and then went to the East Side, where he posed as a jewelry salesman and

mine operators and officials of the miners' union, who have been meeting at President Harding's call to consider means of settling the present strike, adjourned their sessions to-day until Monday without definite results being accomplished.

Nathan was careless enough to give

# day without definite results being accomplished. Secretary Davis, who sat in to-day's meeting as the representative of the Government, said, however, that a "little" progress had been made. The adjournment left this section of the general conference to settle the coal industry's labor troubles in a position similar to that of the bituminous conferees. Both sections now are awaiting a Monday gathering, at which President Harding may present some views in behalf of the Government. The anthracite employers prior to the session with the miners' union officials

## Girl Fights Bandit Trio and Saves \$147

ISS JENNIE GUSSER, cashbank early yesterday afternoon to deposit \$147.90. At Second avenue and Forty-sixth street three young men crowded her and one grabbed the money. Miss Gusser launched an attack on the trio with her fists and the man who had grabbed the money dropped it and the three

After Miss Gusser had deposited the money she notified the police and described her assailants. James Cannon, aged 24, a chauffeur, of 218
East Forty-fifth street was arrested later and identified by the
girl.

## **REFUSES TO REVERSE** MORSE CASE RULING

Portland Commissioner Holds Indictment Evidence to Be Admissible.

PORTLAND, Me., July 7 .- United States

that this copy constituted an affidavit and introduced testimony to the effect and introduced testimony to the effecthe Maine statutes did not permit the presentation of affidavits at such a hear

made money, but he could not say how much. On July 1, he said its indebted-The fugitive was taken into custody as he left a candy store in Albany munching some pieces of confection. He had previously gone to the offices of Emanuel Parker Co. in Albany and attempted to negotiate the sale of some \$25,090,000."

much. On July 1, he said its indebted and in the sale of the sale of some states was approximately \$2,500,000 and cash on hand \$1,649. He denied any knowledge of what Assistant United States Attorney General Fletcher Dobyns described as "that asset put down as assignments, contracts and rights for \$25,090,000."

## **AUSTRALIAN WINS** DRY ESSAY CONTEST Competition Was Open to 7,000 Students in U. S.

CHICAGO, July 7 .- An Australian, a Japanese and a native of India to-day essay contest for the 7,000 foreign students in American colleges.

Oswald Goulter of the College of Mis-

sions, Indianapolis, was awarded first prize; second prize went to Colbert N. Kurokawa of Dickinson College, Car-lisle, Pa., and third honors to Miss Isabella Bux of De Pauw University, Indiana.

The contest was conducted by the

# The contest was conducted by the Intercollegiate Prohibition Association. The subject matter was limited to discussion of alcoholism and prohibition. The prizes were given by Fred N. Dow, editor of the Portland Express, Portland, Me. **OLES GIVES UP FIGHT** TO REGAIN MAYORALTY

Will Resume Chair if He Gets

It Without Struggle. Youngstown, Ohio, July 7 .- Former Mayor George L. Oles to-day gave up

## STATE PRISON ESCAPES Robber Eludes Guards When Doing Outside Work.

TRENTON, July 7 .- Frank Sage, alias Frank Egan, 30, a longshoreman, of 201 Zabriskle street, Jersey City, who was serving a term of one and a half years at State prison for robbery and receiving stolen goods, escaped to-day. He was a member of a gang of about ten men who were loading a truck with provisions at the prison warehouse, about half a mile from the prison, when he suddenly dropped out of sight.

He had been gone for some time before he was missed, it was said, although Deputy Paul Smith was standing guard over the prisoners all the time. Smith hurried back to prison with the other prisoners and caused a general alarm to be sent out for Sage. Police of several cities and towns were looking for him, but no trace of him could be found. Zabriskie street, Jersey City, who was

Sage was sent to prison from Pas-sale to serve from one and a half to seven years. He began serving his sen-tence last November.

SOMERS POINT RECANTS;

## **FORBIDS ONE PIECE SUITS** New Mayor Finds 'Mermaids Positively Reckless.

secial Dispatch to THE NEW YORK HERALL

ATLANTIC CITY, July 7 .- Mayor Charles Steelman of Somers Point has Charles Steelman of Somers Point has forbidden one piece suits for women. Mayor Cressy allowed them last year.

"But no more," said Steelman to-day.

"The mermaids have become positively reckless. Reason has been thrown to the winds, and with it all sense of modesty. Something simply had to be done. 'September Morn' spectacles were becoming altogether too common for the people hereabouts, who, while they favor a degree of freedom, are still opposed to unrestricted license. While we do not approve of the drastic regulations in force on the Atlantic City beaches, we are convinced that new regulations are urgently needed. We regulations are urgently needed. W will appoint censors if we can find suit able persons to take the jobs."

## PAY FROM SOLDIERS' Don't Blanket Your Ice WAR FUNDS UPHELD

Connecticut Court Sustains Legion Secretary in Using State Money.

inounced to-night, finds error in the uperior Court decision which denied to Frank S. Butterworth, former Yale football star and state treasurer of th American Legion, the right to use part of the State funds for disabled war veterans for his personal salary and other

junction granted by Judge L. P. W Marvin on May 2 last restraining But-200 a month from the funds for hi For several months Butterworth and other officers of the Legion have been helped financially by business organizations and corporations in order that payments to disabled veterans might be kept up. The litigation has virtually tied up the income from the State fund of \$2,500,000.

The opinion, written by Justice Lucier F. Burpee, says that extra duties are mposed on the treasurer of the American Legion under the laws and that all tensonable charges and expenses incurred in administrating the fund must applicate the subsection of the control of th

"It is immaterial that no express pro vision for such charges and expenses has been made by the creator of the fund," the opinion says.

## MOTOR CRASH KILLS GIRL. MALONE, N. Y., July 7 .- Catherin stantly killed this morning when the

automobile in which she was riding falled to make a turn on the Lake Titus road, south of here, and crashed into a boulder. Three other occupants of the car were uninjured.: NEW K. C. ADVOCATE GOES IN. New Haven, Conn., July 7.—Luke E. Hart of St. Louis, who was elected Supreme Advocate of the Knights of Columbus by the international board of directors in Chicago last Sunday, was inducted into office here to-day. He succeeds Joseph C. Pelletier of Boston, who resigned. Mr. Hart will be in charge of the legal work of the national Knights of Columbus organization.

If you want to save the food in the ice with anything. When you do, you destroy the entire principle of refrigeration a con stant circulation of cold atr. To save ice alone, pack it in sawdust. To save both food and ice have the ice chamber of your refrigerator regularly filled with ice; don't put bottles or food into it; keep the door tightly closed; don't put hot

food into the refrigerator. A regular supply of ice is true economy. Knickerbocker Ice is d

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